

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

Motors Liquidation Company, *et al.*  
f/k/a General Motors Corp., *et al.*  
  
Debtors.

Chapter 11

Case No. 09-50026 (REG)

(Jointly Administered)

**NOTICE OF SUBMISSION OF PROPOSED ADDITIONAL AGREED AND DISPUTED  
STIPULATIONS OF FACT IN CONNECTION WITH COURT'S SCHEDULING ORDER  
REGARDING MOTION OF GENERAL MOTORS LLC PURSUANT TO 11 U.S.C. §§ 105  
AND 363 TO ENFORCE THIS COURT'S JULY 5, 2009 SALE ORDER AND INJUNCTION  
AGAINST PLAINTIFFS IN PRE-CLOSING ACCIDENT LAWSUITS**

Goodwin Procter LLP ("**Goodwin Procter**"), as "Designated Counsel" selected to address the "Four Threshold Issues"<sup>1</sup> for Pre-Closing Accident Lawsuits<sup>2</sup> involving defective Ignition Switches for Subject Vehicles<sup>3</sup> submits the *Proposed Additional Agreed and Disputed Stipulations of Fact* attached hereto as **Exhibit A**, and respectfully represents as follows:

Goodwin Procter was retained by co-lead counsel in the Ignition Switch MDL, effective October 2, 2014, to address the "Four Threshold Issues" and the "Fraud on the Court Standard Briefing" as defined and described in this Court's Original Scheduling Order, as such issues relate to defective Ignition Switches for the vehicles and plaintiffs covered under (i) the Pre-Closing Accident Motion to Enforce; and (ii) this Court's *Scheduling Order Regarding Motion of General Motors LLC Pursuant to 11 U.S.C. Sections 105 and 363 to Enforce This Court's July 5, 2009 Sale Order and*

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<sup>1</sup> As defined in this Court's *Supplemental Scheduling Order Regarding (I) Motion Of General Motors LLC Pursuant To 11 U.S.C. §§ 105 And 363 To Enforce The Court's July 5, 2009 Sale Order And Injunction, (II) Objection Filed By Certain Plaintiffs In Respect Thereto, And (III) Adversary Proceeding No. 14-01929*, entered on July 11, 2014 [Dkt. No. 12770] (as amended, the "**Original Scheduling Order**").

<sup>2</sup> As defined in the *Motion Of General Motors LLC Pursuant To 11 U.S.C. §§ 105 And 363 To Enforce This Court's July 5, 2009 Sale Order And Injunction Against Plaintiffs In Pre-Closing Accident Lawsuits*, filed on August 1, 2014 [Dkt. No. 12807] (the "**Pre-Closing Accident Motion to Enforce**").

<sup>3</sup> The terms "Ignition Switches" and "Subject Vehicles" shall have the meanings ascribed in the *Agreed And Disputed Stipulations Of Fact Pursuant To The Court's Supplemental Scheduling Order, Dated July 11, 2014*, filed on August 8, 2014 [Dkt. No. 12826] and Exhibits A-D attached thereto (the "**Original Stipulations of Fact**").

*Injunction Against Plaintiffs in Pre-Closing Accident Lawsuits* (the “**Pre-Closing Accident Scheduling Order**”), entered on September 15, 2014 (Dkt. No. 12897).

In the Pre-Closing Accident Scheduling Order, this Court ordered that, until further order of the Court, the schedule set forth in the Original Scheduling Order “shall govern the schedule for the Pre-Closing Accident Motion to Enforce.”

In order to meet this Court’s mandate in the Pre-Closing Accident Scheduling Order and avoid any delay in these proceedings that might occur if a further order of the Court was sought, undersigned counsel is prepared (i) to meet the schedule set forth in the Original Scheduling Order, to brief the Four Threshold Issues and the Fraud on the Court Standard Briefing within the time frame of set forth in such schedule, and (ii) to utilize the array of agreed and disputed stipulations of fact set forth in the Original Stipulations of Fact, provided the *Proposed Additional Agreed and Disputed Stipulations of Fact* set forth on **Exhibit A** hereto are received by the Court as additional proposed undisputed statements of fact submitted by Designated Counsel on behalf of the apposite plaintiffs. Counsel for the Identified Parties<sup>4</sup> may indicate in their briefs or by separate submission to this Court whether the *Proposed Additional Agreed and Disputed Stipulations of Fact* are “agreed upon” or “disputed.” For the avoidance of doubt, the undersigned counsel submits the declarative statements on **Exhibit A** as undisputed facts.

Dated: November 5, 2014

Respectfully submitted,

/s/ William P. Weintraub  
William P. Weintraub  
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<sup>4</sup> As defined in the Original Scheduling Order.

**CERTIFICATE OF SERVICE**

I, William P. Weintraub, hereby certify that a copy of the foregoing *Notice of Submission of Proposed Additional Agreed and Disputed Stipulations of Fact in Connection With Court's Scheduling Order Regarding Motion of General Motors LLC Pursuant to 11 U.S.C. Sections 105 and 363 to Enforce This Court's July 5, 2009 Sale Order and Injunction Against Plaintiffs in Pre-Closing Accident Lawsuits*, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on November 5, 2014.

/s/ William P. Weintraub  
William P. Weintraub